

Records Show Key

House Panel Subpoenas Presidential Funds Data

8/3/73 By WALLACE TURNER
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WASHINGTON, Aug. 2—Records of public funds spent on President Nixon's estate at San Clemente, Calif., show that Herbert W. Kalmbach, Mr. Nixon's former personal attorney, played a controlling role in plans for renovating the home.

The Secret Service and the Justice Department have contended that most of the spending there was done for Presidential security.

The records show an expenditure of \$703,000 in public funds, including many thousands of dollars for purposes unrelated to security.

Copies of the files on San Clemente spending that were available in San Francisco and then withdrawn two weeks ago have come into the possession of The New York Times.

The records were subpoenaed today by the House Government Operations Committee, the first time a subpoena resolution has been voted by the panel since it was formed in 1946, according to Representative Chet Holifield of California, the chairman.

All Records Sought

The resolution asks for records on all federally financed improvements on private property owned, leased, occupied or used by Presidents beginning with Harry S. Truman.

The subpoenas can be issued to the G.S.A., military branches, the Secret Service and the departments of Transportation and Interior, all named by Representative Jack Brooks, Democrat of Texas, as having made expenditures at Presidential homes.

Mr. Brooks asked for the subpoena power after his Government Activities subcommittee investigators were unable to see documents held by the G.S.A. Mr. Brooks said his committee was shut off from the records after a meeting at the White House with Ronald L. Ziegler, the White House press secretary; Leonard Garment, Presidential counselor, and Jack Warner of the Secret Service.

The subpoena power was

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Kalmbach Role in Work on Nixon



The New York Times/Mike Lien

Senators Daniel K. Inouye of Hawaii, left, and Joseph M. Montoya of New Mexico yesterday at the Watergate hearing, at which Mr. Inouye was praised as an outstanding American. He had been termed "that little Jap" Wednesday by John J. Wilson, a lawyer.

Estate Unrelated to Security

roted despite a letter from Bryce N. Harlow, Presidential counselor, which assured the committee that information would be furnished voluntarily within a few days. If the documents are available Monday, the subpoenas will not be used, Mr. Brooks said.

The question of Federal spending to improve Mr. Nixon's properties at San Clemente and at Key Biscayne, Fla., has become a major issue in the last two months. Initially, the White House sought to minimize the costs incurred, but in June the G.S.A. issued statements showing a total of \$1.8-million spent at the two locations.

The G.S.A. also issued summary sheets that gave skimpy details on the spending, but except for a few weeks when they could be seen in the agency's offices in San Francisco and Atlanta, invoices have not been available.

Mr. Brooke's investigators were rebuffed in their attempt to see these invoices.

The records appear to raise questions about the validity of charging many of the costs to Presidential security. They also

show that Mr. Kalmbach played a major role in the initial planning for rehabilitation of the estate.

One of the first things done was a topographical survey, which was ordered by Mr. Kalmbach in April, 1969. This was at least two weeks before Mr. Nixon's purchase of the home was announced.

The billing for this survey shows that fees of \$15 an hour were charged by the surveyors for meetings with Mr. Kalmbach, city officials in San Clemente, Lawrence M. Higby, assistant to the then White House chief of staff, H. R. Haldeman, Secret Service agents and others.

The South Coast Engineering Service in San Clemente was paid by the Federal Government for five different jobs, according to the invoices. These covered work that began in April, 1969, almost three months before Mr. Nixon bought the estate.

The early bills were sent to Mr. Kalmbach's law office in Newport Beach, Calif., because "we looked on him as our client," said William Ayer, a partner in the company. The bills were paid by the G.S.A.

One bill covered a structural

assessment of the house. It and the grounds had been allowed to deteriorate under the previous ownership for it was unoccupied much of the time, Mr. Ayer said.

However, one bill was paid by Mr. Nixon. This covered a survey of the land around the house itself, Mr. Ayer said.

Mr. Kalmbach also brought an overseer, from Newport Beach, Mr. Ayer said. This was Larry D. Lynch, a landscape architect, from whom several letters to G.S.A. officials exist in the files that the House committee will receive.

On one occasion, Mr. Lynch instructed G.S.A. employees which fertilizer to buy and where to get it, and on another he told them to get 1,625 flower bulbs and where to get them.

Mr. Lynch, who now lives in Riverside, Calif., said in a telephone interview that as he remembered the work, he was not placed in charge by Mr. Kalmbach. He said, however, that he did direct much of the major relandscaping at San Clemente in the summer of 1969. He was aware of Mr. Kalmbach's interest, he said, and took some instructions from him.

"The major thrust of the work was toward security purposes, or to repair damage done to the grounds in burying cables and the like," he said.

But Mr. Lynch would not say that all the landscaping, which cost more than \$100,000, was tied to those purposes.

Mr. Kalmbach's involvement turns up frequently in invoices. One notes that a new exhaust fan was placed in the President's fireplace "per Mr. Kalmbach." The cost was \$388.78.

The invoices also make clear the apparently tenuous relationship of some of the work to Presidential security. For example, the driveways seem to be in constant need of repair, with frequent paving contracts turning up among the invoices.